

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DEONTEY ALLEN, TANGELA DAVIS,
D.A.J., and X.A., minors,

Plaintiffs,

v.

Case Number 20-11489

Honorable David M. Lawson

CITY OF DETROIT and UNNAMED DETROIT
POLICE OFFICERS,

Defendants.

**ORDER STRIKING FILINGS, AMENDING CAPTION, AND DIRECTING
PLAINTIFFS TO MOVE FOR APPOINTMENT OF NEXT FRIEND**

Upon review of the docket in this case, the Court realized that the initial complaint, several other filings, and the docket caption of the case improperly disclosed the full names of the minor plaintiffs. *See* Fed. R. Civ. P. 5.2(a). It also appears that the adult plaintiff never sought appointment as the next friend of the minor plaintiffs, who do not have capacity to sue on their own behalf. *See* Fed. R. Civ. P. 17(b)(3); *Russell v. City of Detroit*, 321 Mich. App. 628, 643, 909 N.W.2d 507, 516 (2017) (“[M]inors generally lack capacity to sue in their own name.”).

The Court therefore will strike the improper filings and instruct the Clerk of the Court to remove the images and amend the docket to remove any reference to the minor plaintiffs’ full names, substituting them with their initials. The Court also will direct the plaintiffs to move for the appointment of a next friend to represent the minor plaintiffs under Federal Rule of Civil Procedure 17(c)(2).

Accordingly it is **ORDERED** that the Clerk of the Court shall amend the caption on the docket to remove any reference to the minor plaintiffs’ full names.

It is further **ORDERED** that the original complaint (ECF No. 1) is **STRICKEN**. The Clerk will remove the image from the docket. The plaintiffs need not re-file the complaint, as they have filed an amended complaint with the minors' names abbreviated appropriately.

It is further **ORDERED** that the Court's previous orders (ECF Nos. 10, 16, and 17) and the notice to appear by telephone (ECF No. 20) are **STRICKEN**. The Clerk will remove the images from the docket.

It is further **ORDERED** that the plaintiffs must move for the appointment of a next friend to represent the minor plaintiffs under Federal Rule of Civil Procedure 17(c)(2).

Dated: November 11, 2020

s/David M. Lawson
DAVID M. LAWSON
United States District Judge